



Patent  
Attorney's Docket No. 028723-384

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~Ex~~ In re Patent Application of

Joe W. GRAY

Application No.: 10/608,092

**Filed: June 30, 2003**

**For: CHROMOSOME-SPECIFIC STAINING  
TO DETECT GENETIC  
REARRANGEMENTS**

**Group Art Unit:**

**Examiner:**

Confirmation No.:

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed for the fee due.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**

Date: 26 August 2003

By: Malcolm K. McGowan  
Malcolm K. McGowan, Ph.D.  
Registration No. 39,300

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620



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Inventor Patent Application of )  
Joe W. GRAY ) Group Art Unit:  
Application No.: 10/608,092 ) Examiner:  
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For: CHROMOSOME-SPECIFIC STAINING )  
TO DETECT GENETIC )  
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**FIRST**  
**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since the documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b) no fee or statement is required.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: 26 August 2003

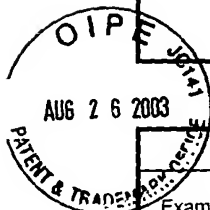
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Registration No. 39,300

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Substitute for forms 1449A/PTO &amp; 1449B/PTO

ATTORNEY'S DKT NO.  
028723-384APPLICATION NO.  
10/608,092FIRST INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANT  
Joe W. GRAYFILING DATE  
June 30, 2003

GROUP



## U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
|                   | 5,447,841       |                      | Gray et al.                                     | 09/05/1995                          |
|                   | 6,414,133 B1    |                      | Dietz-Band et al.                               | 07/02/2002                          |
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|                   |                 |                      |   |                                     |
|                   |                 |                      |   |                                     |

## FOREIGN PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | Translation Yes | No |
|-------------------|-----------------|----------------------|---------|----------------------------------|-----------------|----|
|                   | WO 94/09022     |                      | PCT     | 04/28/1994                       |                 |    |
|                   | 1,301,605       |                      | Canada  | 05/26/1992                       |                 |    |
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|                   |                 |                      |         |                                  |                 |    |
|                   |                 |                      |         |                                  |                 |    |

## NON PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.                         |
|-------------------|---|
|                   | Arnoidus et al., "Detection of the Philadelphia Chromosome in Interphase Nuclei", <i>Cytogenet Cell Genet</i> 54:108-111 (1990), Karger, Basel, Switzerland   |
|                   | Bartram et al., "Translocation of <i>c-abl</i> Oncogene Correlates with the Presence of a Philadelphia Chromosome in chronic Myelocytic Leukaemia", <i>Nature</i> , Vol. 306, 277-280 (Nov 1983), Nature Publishing Group, London, England  |
|                   | Chan et al, "A Novel <i>abl</i> Protein Expressed in Philadelphia Chromosome Positive Acute Lymphoblastic Leukaemia", <i>Nature</i> , Vol. 325, (Feb. 1987), 635-637, Nature Publishing Group, London, England  |
|                   | Clark et al., "Expression of a Distinctive <i>BCR-ABL</i> Oncogene in Ph-Positive Acute Lymphocytic Leukemia (ALL)", <i>Science</i> , Vol. 239 (Feb. 1988), 775-777, American Assoc. for the Advancement of Science, Washington, D.C. USA   |
|                   | Fainstein et al., "A New Fused Transcript in Philadelphia Chromosome Positive Acute Lymphocytic Leukaemia", <i>Nature</i> , Vol. 330 (Nov. 1987) 386-388, Nature Publishing Group, London, England  |
|                   | Groffen et al, "Philadelphia Chromosomal Breakpoints are Clustered Within a Limited Region, <i>bcr</i> , on Chromosome 22", <i>Cell</i> , Vol. 36, (Jan. 1984), 93-99, Cell Press, Cambridge, MA, USA   |
|                   | Grosveld et al., "The Chronic Myelocytic Cell Line K562 Contains a Breakpoint in <i>bcr</i> and Produces a chimeric <i>bcr/c-abl</i> Transcript", <i>Molecular and Cellular Biology</i> , Vol. 6, No. 2 (Feb 1986) 607-616, American Society for Microbiology, Washington, D.C. USA |
|                   | Heisterkamp et al., "The Human <i>v-abl</i> Cellular Homologue", <i>Journal of Molecular and Applied Genetics</i> , Vol. 2, No. 1 (1983) 57-68, Raven Press, New York   |

Substitute for forms 1449A/PTO &amp; 1449B/PTO

ATTORNEY'S DKT NO.

APPLICATION NO.

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10/608,092

# FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT

Joe W. GRAY

FILING DATE

June 30, 2003

GROUP

AUG 26 2003

## NON PATENT LITERATURE DOCUMENTS

Examiner  
Initials

Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

Heisterkamp et al., "Localization of the *c-abl* Oncogene Adjacent to a Translocation Break Point in Chronic Myelocytic Leukaemia", *Nature*, Vol. 306 (Nov. 1983) 239-242, Nature Publishing Group, London, England

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Kawasaki et al., "Diagnosis of Chronic Myeloid and Acute Lymphocytic Leukemias by Detection of Leukemia-Specific mRNA Sequences Amplified *in vitro*", *Proc. Natl. Acad. Sci., USA*, Vol. 85 (Aug. 1988) 5698-5702, National Academy of Sciences, Washington, D.C., USA

de Klein et al., "A Cellular Oncogene is Translocated to the Philadelphia chromosome in Chronic Myelocytic Leukaemia", *Nature*, Vol. 300 (Dec. 1982) 765-767, Nature Publishing Group, London, England

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Westbrook et al., "Long-Range Mapping of the Philadelphia Chromosome by Pulsed-field Gel Electrophoresis", *Blood*, Vol. 71, No. 3 (March 1988) 697-702, Grune & Stratton, Washington, D.C., USA

Examiner  
Signature

Date

Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.